

## **Appendix A**



## **Resources**

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**No Child Left Behind Act of 2001 Implications for  
Special Education Policy and Practice  
Selected Sections of Title I and Title II  
September 2002**

NCLB Act of 2001 Statute	Implications for Special Education Policy and Practice
<p>SEC.1111.STATE PLANS.</p> <p>(a) PLANS REQUIRED-</p> <p>(1) IN GENERAL- For any State desiring to receive a grant under this part, the State educational agency shall submit to the Secretary a plan, developed by the State educational agency, in consultation with local educational agencies, teachers, principals, pupil services personnel, administrators (including administrators of programs described in other parts of this title), other staff, and parents, that satisfies the requirements of this section and that is coordinated with other programs under this Act, the Individuals with Disabilities Education Act, the Carl D. Perkins Vocational and Technical Education Act of 1998, the Head Start Act, the Adult Education and Family Literacy Act, and the McKinney-Vento Homeless Assistance Act.</p> <p>(2) CONSOLIDATED PLAN- A State plan submitted under paragraph (1) may be submitted as part of a consolidated plan under section 9302.</p>	<p>-- This language constitutes the foundation of everything which follows in the No Child Left Behind Act (NCLB Act), the core stipulations of which are contained in Title I, Part A.</p> <p>-- Note the reference to the Individuals with Disabilities Education Act. This NCLB state plan must be developed in coordination with IDEA. Professionals and families knowledgeable and involved in IDEA can be a valuable resource in the development of the plan.</p>

<p>`(b) ACADEMIC STANDARDS, ACADEMIC ASSESSMENTS, AND ACCOUNTABILITY-</p> <p>`(1) CHALLENGING ACADEMIC STANDARDS-</p> <p>`(A) IN GENERAL- Each State plan shall demonstrate that the State has adopted challenging academic content standards and challenging student academic achievement standards that will be used by the State, its local educational agencies, and its schools to carry out this part, except that a State shall not be required to submit such standards to the Secretary.</p> <p>`(B) SAME STANDARDS- The academic standards required by subparagraph (A) shall be the same academic standards that the State applies to all schools and children in the State.</p> <p>`(C) SUBJECTS- The State shall have such academic standards for all public elementary school and secondary school children, including children served under this part, in subjects determined by the State, but including at least mathematics, reading or language arts, and (beginning in the 2005-2006 school year) science, which shall include the same knowledge, skills, and levels of achievement expected of all children</p>	<p>-- The “academic content standards” under this law will also require continuing examination (probably state by state) as these standards intersect with the “general curriculum” stipulations of the IDEA, Sec. 614(d).</p> <p>-- Note that the law addresses <i>all</i> public elementary and secondary school children, thus clearly including all children receiving (or potentially receiving) the support of special education.</p> <p>-- Standards shall be developed in subject areas determined by each state, but must include the subject areas of mathematics, reading or language skills and at a later date, science. achievement standards</p>
<p>`(b) ACADEMIC STANDARDS, ACADEMIC ASSESSMENTS, AND ACCOUNTABILITY-</p> <p>`(1) CHALLENGING ACADEMIC STANDARDS-</p> <p>`(D) CHALLENGING ACADEMIC STANDARDS- Standards under this paragraph shall include—</p> <p>`(i) challenging academic content standards in academic subjects that-</p> <p>`(I) specify what children are expected to know and be able to do; `(II)</p>	<p>The law requires both academic content standards and academic achievement standards.</p> <p>-- Careful attention will need to be directed (probably state by state) to the requirement for “performance goals and indicators” (IDEA, Sec. 612(a)(16)) for children receiving the support of</p>

<p>contain coherent and rigorous content; and</p> <p>`(III) encourage the teaching of advanced skills; and</p> <p>`(ii) challenging student academic achievement standards that--</p> <p>`(I) are aligned with the State's academic content standards;</p> <p>`(II) describe two levels of high achievement (proficient and advanced) that determine how well children are mastering the material in the State academic content standards; and</p> <p>`(III) describe a third level of achievement (basic) to provide complete information about the progress of the lower-achieving children toward mastering the proficient and advanced levels of achievement.</p>	<p>special education in relation to the student academic achievement standards under these statutes.</p> <p>-- The law calls for three levels of student achievement, basic, proficient, and advanced, with <i>proficient</i> clearly being the primary objective through the course of further requirements in the legislation.</p> <p>-- Note: A definition for “lower-achieving children” has not been discovered in these statutes. Question for the field: Is this term presumed to include all—or a portion of—those children receiving the support of special education?</p>
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